

## JUDGE MATTHEWMAN HAS DESIRE TO GO HIGHER

His Wish to Get Gear's Job Led Him to Go  
Upon the Bench in the First  
Place.

HILLO, January 20.—It has been known among the intimate friends of Judge John Albert Matthewman that he accepted the appointment of Judge for the Third Judicial Circuit with reluctance and upon the understanding that he would be appointed to the first vacancy in a judgeship at Honolulu. While Judge Matthewman has performed his services at Kailua faithfully and well and to the satisfaction of litigants, on account of his wife's health and the social conditions of the place, he has sought to be transferred to a more pleasant berth in the Honolulu courts.

He has been filling vacancies on the Supreme bench in Honolulu when any of the justices have been disqualified. During his visit there, he was in close consultation with the Governor several times, and the transfer has been effected, so it is alleged by the Honolulu Star. Judge Alex. Lindsay, who is now at Honokaa, is to be made Judge of the Third Circuit and Judge Matthewman will succeed Judge Gear, whose term of office has about expired. No surprise is expressed at Judge Gear's failure to secure reappointment, as he has been unable to secure Governor Carter's endorsement. Judge and Mrs. Gear are now in San Francisco, having returned from an unsuccessful trip to Washington in regard to reappointment.

Judge Lindsay is a native of Hawaii, a man well versed in the law and who has been District Magistrate in Honolulu since the death of the late Judge Wilcox. Owing to the pressure of work, Judge Lindsay has found it necessary upon the advice of his physician to seek another climate, and as he formerly resided at Kailua, it is believed he will find the new field agreeable, and it will restore his health. The changes will occur in March.

### BEACH SAND RESERVED.

On December 16th, 1904, Eugene H. Lyman applied to Governor Carter for a thirty year contract to buy from the government all of the beach sand at Hilo, and all street sweepings, which he might use for the sum of twenty-five cents per ton. The letter was turned over to Superintendent of Public Works Holloway and by him referred to the Hilo Board of Trade, asking that body for an expression of opinion. The executive council replied by calling the attention of the Governor and Superintendent Holloway to Section 2138, Civil Laws of 1897, with reference to beach sand, which reserves to the people certain rights named therein, among others being the privilege of removing for their own use or for sale, all drift wood, coral and sand from the government reefs and lands. As the sea beach is construed to be government property, the executive officers, without the enactment of special legislation, would have no authority to enter into any contract for sale or other disposition



BRIDGE IN THE BARBETTE: THE SMOKING-ROOM OF A BRITISH FIRST-CLASS BATTLESHIP. Behind the players will be noticed a diagram of a Russian battleship, showing the vitals: this is at present the most popular picture on a British battleship.

of the sand. Regarding the street sweepings, it recommended that when the time was ready to dispose of these, that the same be put up at auction. The Board of Trade is in receipt of a letter of thanks from Superintendent Holloway for calling his attention to the old law on the subject, which had escaped his attention.

### A RACE BY STEAMERS.

A passenger on the Kinau writes: While waiting for belated passengers and coast mail the Kinau lay perspiring at her dock in Honolulu till 2:14 p. m. About 2:08 the Mauna Loa went cheerily on her way and was a good mile ahead when the Kinau let go. In some mysterious way it got out that we were to get first into Lahaina. The engineers were sceptical as to making it, but the company's superintending engineer, happening to be aboard, said "nix." The race was a good one, both captains jockeying each other in real racing style. What the Mauna Loa's passengers have to say regarding smoke and cinders I only surmise, but we give her commander credit for giving us a good dose of both. It might not be out of place if we mention here, a spark arrested on her stack would be all right. The vessels passed and repassed one another till the lights of Lahaina came in sight. By this time both steamers were alongside each other and brilliantly lighted. It made a pretty exciting picture and the Kinau being inside and ahead "found herself" dropping anchor at 8:21 p. m., beating her opponent by a clear mile at the start and some minutes at the finish.

### ACCUSED OF MURDER.

After remaining in session all night for two successive evenings and the searching examination of a score or more witnesses, the coroner's inquisition empaneled by Deputy Sheriff Fetter, returned a report of their findings that Moriyama Kintaro came to his death at Hilo on the 2nd day of January, 1905, from wounds caused by a hatchet, knife and club, and from the evidence produced the jury believes that the deed was committed by Morita Kizo and two accomplices unknown to the jury. The coroner's jury consisted of W. S. Terry, Richard J. Lyman, J. M. Herring, Wm. Weight, K. C. Kubo and S. Sato. Two entire nights were spent in examining witnesses, the session of the jury commencing promptly at 7:30 p. m. Wednesday and Friday evenings and continuing until daylight. Morita, who has been under arrest, finally abandoned his first claim of an alibi, when he found that his witnesses had weakened, and finally confessed to having committed the deed, as he alleges, in self-defense. He claimed that, when Moriyama Kintaro came outside of his home in response to his call, he turned on him with a cane knife and he killed Moriyama in defending his own life.

### MATSON CAN STAND ALONE.

A gentleman in a position to know says that if the Spreckelses put the Zealandia on this run it will be a great help to Hilo. "The Spreckelses could not expect to get more than the Wainaku sugar for that is the only plantation under their control here. Buck and Ohlandt control Paauhau and Hutchinson, and if Matson should lose Wainaku they would undoubtedly direct the managers of those plantations to send their sugar here for shipment. I believe that Captain Matson's position is so firm that it cannot be shaken by all of the power and influence of the Spreckelses, nor indeed of the Standard Oil Co. He has constructed his own pipe lines from Coalinga, and instead of paying the Southern Pacific \$600 per day freight on his oil he transports it through his pipe line and it is estimated that the line, which is nearly one hundred miles long, will be paid for by the saving in transportation charges in a few years. He has ten year contracts with users of crude oil all the way from Alaska to points in Mexico so that he cannot be hurt in that way for ten years at least. He has not ships enough at present to carry the product to these ports."

### QUARTERS FOR JUDGE DOLE.

U. S. Commissioner I. E. Ray has received a letter from Judge Dole, asking him to arrange a suitable place for the session of the United States Circuit Court to be convened here Wednesday evening, January 27th. Under the organic act a regular term is required to be held at Hilo on the last Wednesday in January of each year and under the law, Judge Dole has ordered that the court be formally opened upon his arrival at 7:30 o'clock in the evening. Through the courtesy of Judge Parsons the use of the Fourth Circuit Court room has been placed at the disposal of the federal officials, as the use of the room at that time will not interfere with the circuit court. No grand or petit juries have been empaneled, and it is Judge Dole's purpose to transact such bankruptcy and other business as comes before him on Wednesday night and the following day, so that he may return on the same steamer. Persons who desire to become naturalized may appear at that time, and as the fee for naturalization in the federal court is much cheaper, it is expected a number will take advantage of Judge Dole's presence here.

### HILLO NOTES.

J. W. Macintosh, the saddler; Homer L. Ross, the lawyer; L. M. Haworth, the nondescript and H. L. Williams, oil discoverer,

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are in Edmonton, British Columbia. The place is an oil center and the men have good prospects of success.—Hilo Herald.

The rumor that Messrs. Richley and Lambert would engage in taking out koa lumber from the forest back of the Volcano House is denied by Mr. Lambert. He has another business in view in which he will embark within the next six months. Mr. Richley may make a contract for himself.

Rev. S. L. Desha has been tendered the honorary position of chaplain of the House of Representatives during the coming session of the Legislature, which he will accept if agreeable to his congregation.

At the stockholders meeting of the First Bank of Hilo, all of the present officers were retained, with the exception of secretary in which position A. H. Jackson succeeds T. C. Ridgway. On the Board of Directors, John Watt succeeds J. S. Canario.

Deputy Collector Ridgway has received information from Capt. Geo. H. Whitney and Carl F. Lehnrs, local inspectors of hulls and boilers for this district, that they contemplate leaving for their annual inspection tour of the Hawaiian Islands on January 12, per steamer Sierra. They will be in Hilo about two weeks later and all persons seeking examination to qualify as master, mate and engineer as required by law, may be examined upon application to these gentlemen at that time.

John Ouderkirk, a leading contractor in Honolulu, arrived on the Kinau yesterday. He is inspecting the new armory.

There was a meeting of the Republican district committee last night at which the matter of political patronage was discussed.

There continues to be sufficient water in the Wailuku river to make the wheels go round, despite rumors to the contrary.

Chas. Weatherbee, overseer of Puna Plantation, was a Hilo visitor last week and reports the growing crops under his charge in fine condition.

There will be a meeting of the Hawaii Jockey Club at Firemen's Hall on Tuesday evening, January 24, at 7:30. A full attendance is requested as business of importance is to be transacted.

The Tribune is in receipt of a portion of a bunch of cooking bananas raised on Dr. J. Holland's farm at Pahoa. Some of the fruit weighed a pound apiece.

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